



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

Southern Louisiana OPA-90 Outreach Office
113 Park West Drive
Scott, Louisiana 70583
(337) 236-8977

CONSENT FOR ACCESS TO PROPERTY

REPRESENTATIVE'S NAME: Rosemary Bernadine Piccataggi Devillier
FACILITY NAME: John C Newsham - P R Melancon Swd
LOCATION OF PROPERTY: Section 38, Township 16 S, Range 15 E
Terrebonne Parish, Louisiana

I hereby consent to officers, employees, and parties authorized by the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the following purposes:

1. The taking of such soil, water, and oil samples as may be determined to be necessary from tanks, pits and equipment in order to determine an actual or substantial threat of an oil spill or release;
2. The taking of response and/or removal action to mitigate an actual or substantial threat of release of oil as stipulated in the Oil Pollution Act of 1990 (OPA 90), 33 U.S.C. § 1321. These actions include, but not limited to:
 - a. Consolidation, removal, treatment, and/or disposal of oil, oil-contaminated soils and/or wastes from oil production sites and oil spill areas as per applicable Federal and State of Louisiana regulation;
 - b. Plugging and Abandonment operations (P&A) (as necessary) and/or the clean up of oil production sites consistent with Federal and State of Louisiana laws and regulations;
 - c. Building and/or improving of roads, culverts, gates, fences, etc. as may be required to access oil production sites. Such improvements will be conducted only as necessary to access specific oil production sites. All reasonable effort will be made to abide by the property owner's requests as to the location of access improvements and routes of ingress/egress. Once clean-up operations are complete, every reasonable effort to restore access and land improvements back to their original condition;

- d. Removal, transportation, and disposal of any and all oil production equipment, oil storage tanks, treatment and separation vessels, flow-lines and other piping, concrete slabs, and other miscellaneous equipment and debris as deemed necessary by the EPA or its agents to mitigate the actual or substantial threat of an oil release;

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Clean Water Act (CWA), 33 U.S.C. § 1321, ET SEQ., as amended by the Oil Pollution Act of 1990 (OPA 90).

I am the property owner, or a responsible agent of the property owner, and I warrant that I have the authority to enter into this access agreement. This written permission is given voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

11/18/03
DATE

Rosemary Bernadine Riccatoggi DeVillier
SIGNATURE



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November 14, 2003

Ms. Rosemary Devillier
1104 Walnut Drive
Morgan City, LA 70380

Re: John C Newsham – P R Melancon SWD facility
Donner Oil and Gas Field, Terrebonne Parish, Louisiana

Dear Ms. Devillier:

As you are aware the U.S. EPA has identified an abandoned oil production facility on your property, which poses an actual or substantial threat of release of oil to the navigable waters of the United States. Clean-up actions need to commence in the very near future to address the threats posed by this abandoned oil production facility. Authorized agents of the U.S. EPA have sent you a form requesting access to your property for the sole purpose of cleaning up the abandoned oil production facility. To date we have had no response from you. Since you have been given a reasonable amount of time to review the voluntary access agreement and have chosen not to respond, the U.S. EPA is issuing you a Federal Letter of Interest (attached) regarding the abandoned oil production facility on your property. The Federal Letter of Interest allows you as the property owner the opportunity to conduct the clean-up of the abandoned oil production facility yourself, if you so choose. This clean-up must be conducted in accordance with State and Federal rules and regulations. Please advise this office of your intentions within seven (7) working days of the receipt of this letter. If after seven (7) days you fail to respond or decline the opportunity to conduct the clean-up yourself, the U.S. EPA will begin the process of issuing an Administrative Order for access as per our statutory authority.

Sincerely,


Warren Zehner
Sr. FOOSC

Devillier: DNR0120

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REGION 6 OPA Southern Louisiana Outreach Office
113 Park West Drive
Scott, Louisiana 70583
(337) 236-8977

November 14, 2003

Ms. Rosemary Devillier
1104 Walnut Drive
Morgan City, LA 70380

Re: Notice of Federal Interest in a Pollution Incident
John C Newsham – P R Melancon SWD facility

Dear Ms. Devillier:

This letter is to inform you that a pollution incident, for which you may be financially responsible, has occurred or threatens to occur at the John C Newsham – P R Melancon SWD facility located in the Donner Oil and Gas Field, Terrebonne Parish, Louisiana at Latitude 29° 41' 29.9" N/Longitude 90° 58 ' 10.7" W. Under federal statutes, the United States Government has an interest in this incident and may take appropriate action to minimize damages which are threatened or which may be caused by this incident.

The discharge of a prohibited quantity of oil or a hazardous substance is a violation of the Clean Water Act, as amended. Under this act, the owner or operator of a source may undertake the removal action. If he/she refuses to take adequate removal actions, he/she may be held financially responsible for action taken by the federal government to remove the pollutant and adequately mitigate its effects. A removal is being performed properly if it is done in accordance with federal and state statutes and regulations and in accordance with the criteria of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). If you undertake the removal actions, the adequacy of such actions shall be evaluated by the Federal On-Scene Coordinator (OSC). The OSC for these incidents is Mr. Warren Zehner

So long as you are taking adequate actions in this matter, federal action will be limited to monitoring of the progress of your actions. You are liable for EPA related oversight costs and provisions of guidance as necessary.

If it is determined that you are not taking prompt and appropriate action to clean up, contain, and remove the pollutant(s), federal response will be initiated. You may then be held responsible for any additional costs incurred by the Federal Government as set forth in Section 311(f) of the Clean Water Act, as amended.

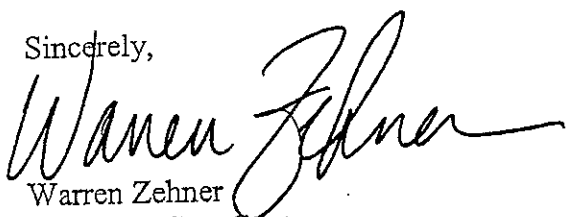
If you are the responsible party, you are required by Section 1014(a) of the Oil Pollution Act of 1990 to advertise the occurrence of the incident and the appropriate claim procedures to all prospective claimants.

Devillier: DNR0121

Should you require further information concerning this matter, please contact the On-Scene Coordinator within seven working days of receipt of this letter, either by telephone at (337) 236-8977, or in writing with the information provided below.

Mr. Warren Zehner
On-Scene Coordinator (6SF-RO)
U.S. Environmental Protection Agency
OPA-90 Outreach Office
113 Park West Drive
Scott, LA 70583

Sincerely,


Warren Zehner
On-Scene Coordinator